

SPECIAL TOWN MEETING
November 8 & 10, 1993

The meeting was televised by Amherst Community Television.

The Special Town Meeting was called to order by the Moderator, Francesca Maltese at 7:38 p.m. 149 checked in and a quorum was declared. The call and return of the warrant were read by Town Clerk, Cornelia D. Como. Paul Filios, Harry Brooks, Nonny Burack, Kristin O'Connell, Frieda Howards, Debbie Lawrence-Riddell, Hilda Greenbaum and Felicity Callahan were sworn as tellers.

ARTICLE 1. Voted that the Town hear only those reports of the Town officers, Finance Committee, and any other Town boards or committees which are not available in written form.

Action taken on 11/8/93.

ARTICLE 2. Defeated. Reduce the number of town meeting members required to obtain a tally vote.

Action taken on 11/8/93.

ARTICLE 3. Voted 1) that the Town rescind the action taken under Article 21 (1984 Fall Town Meeting) instructing the Board of Selectmen to implement a socially responsible investment policy, requiring divestiture of all public holdings in corporations or businesses, including subsidiaries and affiliates thereof, that operate in the Republic of South Africa

DEFEATED 2) or that produce nuclear weapons or components of nuclear weapons.

Action taken on 11/8/93.

(This article was divided into two parts.)

ARTICLE 4. Voted unanimously that the Town appropriate and transfer \$1,080.37 from Free Cash in the Unreserved Fund Balance of the General Fund to pay unpaid bills of the previous fiscal years.

Action taken on 11/8/93.

ARTICLE 5. Voted unanimously that the Town rescind the following borrowing authorizations:

- Article 12, April, 1992 - \$3,800 for Fort River Roof
- Article 17, April, 1992 - \$200,000 for Closing of Cell II (landfill)
- Article 13, October, 1989 - \$300,000 for Southeast Street Water Main.

Action taken on 11/8/93.

ARTICLE 6. Voted unanimously that the Town authorize the acceptance of a maximum exemption of 100 percent for taxpayers qualifying for exemption under Massachusetts General Laws Chapter 59, Sections 17D, 22, 37A, and 41C.

Action taken on 11/8/93.

ARTICLE 7. Voted unanimously that the Town accept the provisions of Chapter 110, Section 110 of the FY 94 State Budget which adds the local option provision to General Laws Chapter 59, section 5, which reduces from five to one the number of years a person must have been a Massachusetts resident to qualify for a veteran exemption under Clauses 22, 22A, 22B, 22C, 22D, or 22E.

Action taken on 11/8/93.

ARTICLE 8. Voted unanimously that the Town amend the FY 94 Operating Budget by appropriating an additional \$130,738 for Public Safety, \$42,783 for Public Works, \$7,177 for Other Environmental, \$11,018 for Human Services, \$2,811 for Culture & Recreation and that to meet such appropriations \$194,527 be transferred from General Government and by appropriating an additional \$19,800 for the Water Fund Operating Budget, \$13,000 for the Sewer Fund Operating Budget, \$3,278 for the Golf Course Fund Operating Budget and to meet such appropriations \$19,800 be transferred from the Water Fund Surplus, \$13,000 be transferred from the Sewer Fund Surplus, and \$3,278 be transferred from the Golf Course Fund Surplus.

Action taken on 11/8/93.

ARTICLE 9. Voted unanimously that the Town appropriate \$ 70,000 for the replacement of an ambulance and to meet that appropriation, transfer \$ 70,000 from Ambulance Receipts Reserved for Appropriation, and that the Town be authorized to turn in corresponding items of equipment as part payment.

Action taken on 11/8/93.

ARTICLE 10. A) Voted YES 158, NO 3 that the Town appropriate \$14,125 for the purchase

of Gull Pond for conservation purposes and to meet such appropriation transfer \$14,125 from the Stabilization Fund.

B) Voted unanimously that the Town appropriate \$11,600 to assist the Department of Food and Agriculture, Commonwealth of Massachusetts, with the purchase of Agricultural Preservation Restrictions on farms in Amherst and to meet such appropriation transfer \$11,600 from the Stabilization Fund.
Action taken on 11/8/93.

ARTICLE 11. Voted unanimously to refer this article to the Planning Board. (Aquifer Recharge Protection District Revisions)
Action taken on 11/8/93.

ARTICLE 12.Voted unanimously that the Town amend Article 6, Dimensional Regulations, Table 3 and Article 7, Parking Regulations, of the Zoning Bylaw, deleting the language in brackets and adding the shaded language, as follows:

A.Add a new Section 6.5, Educational and Religious Uses, as follows:

SECTION 6.5 EDUCATIONAL AND RELIGIOUS USES

All structures approved after January 1, 1994, by a permit granting authority for educational or religious uses shall have minimum front, side and rear yard set backs twice the distance shown in Table 3 for that zoning district, except in the B-G where the setbacks in Table 3 shall apply.

B.Amend Table 3 by adding a superscript "1" to the title "Table 3 - Dimensional Regulations" and by adding the following new footnote at the bottom of the table:

¹ The above dimensional regulations shall apply to all educational and religious uses located in the zoning districts listed above, except as provided for in Section 6.5.

C.Amend Article 7, Parking Regulations, by amending Section 7.002, adding new sections 7.003 through 7.006 and renumbering the remaining sections accordingly, as follows:

7.002 For places of public assembly, including [school and religious group auditoriums,] libraries, museums, clubs, restaurants, theaters, bowling alleys[,] and other amusement centers, funeral establishments, trade school[,] and bus depot - one parking space for each four seats[,] or where benches are used, one space for each eight linear feet of bench. Where no fixed seats are used (as in a museum), there shall be one parking space provided for each 80 square feet of public floor area.

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7.003	Religious and Educational Uses			

7.0030For places of public assembly for educational or religious use, one parking space for every four (4) seats, or where

7.0031For each meeting hall, social center or other similar place(s) of

7.003.2Dwelling place of a religious community. For each convent, monastery, or like dwelling place of a religious community, there shall be at least one (1) parking space for every three (3) bedrooms for single or double occupancy, or for every three (3) beds in group sleeping quarters.

Action taken on 11/8/93.

ARTICLE 13.

Voted YES 149, NO 5

that the Town amend Section 6.3, Flag Lots, of the Zoning Bylaw by adding the shaded language and deleting the language in brackets, as follows:

A.Amend Sections 6.33 and 6.34, as follows:

6.33 Each lot shall have an access strip with a minimum street frontage of forty feet, a minimum width of forty feet at any point between the street and the principal building, and a maximum length of four hundred feet

6.34 The access strip shall end and the building area of the lot shall begin. Where driveway access to a principal building is achieved over the access strip of the lot, then said access strip shall have no change of direction greater than 45 degrees.
t
h of the lot where the principal building is to be constructed shall equal or exceed the distance normally required for street frontage in that district. [except in] n a Cluster Subdivision, [in which case] the width of the lot where the principal building is to be constructed shall equal or exceed the distance required for cluster lot frontage in that district.
building area of the lot. I nearest continuous streetward boundary of the

B.Add the following new Section 6.35:

6.35

Action taken on 11/8/93.
ARTICLE 14.
Voted unanimously that the Town amend
Section 6.18, Maximum Lot Coverage, deleting the language in brackets and adding the shaded language, as follows:

That portion of a flag lot within which the principal building is to be located shall be considered the building area. The building area of a flag lot shall be capable of containing a circle whose diameter is equal to or greater than the minimum standard street frontage required in the district where the flag lot has its frontage, without any portion of said circle falling outside of the property.

6.18 Maximum Lot Coverage

Maximum lot coverage shall include the percentage of a lot covered in the manner described in Section 6.17, Maximum Building Coverage, plus that portion of a lot covered by driveways, parking areas, walkway, tennis courts, swimming pools or other [impermeable] surfaces.

For the purposes of this bylaw, all such surfaces, whether constructed of impermeable materials (i.e., concrete, bituminous asphalt, oil and stone and the like) or constructed of permeable materials (i.e., gravel, peastone and the like) shall be included in the calculation of maximum lot coverage.

Action taken on 11/8/93.

ARTICLE 15. Voted unanimously that the Town amend the Zoning Bylaw as follows:

Under Article 6, Table 3 (Dimensional Regulations). R-G zoning district, add a new footnote "m" to the dimensions given for "Basic Minimum Lot Area: and "Additional Lot Area Per Family" as follows:

m. For new town houses (Section 3.322) and apartments (Section 3.323), these areas shall apply in addition to the areas required by this table for any existing dwelling units on the lot. In addition, the density for new town houses and apartments shall not exceed one dwelling unit per 6,000 sq. ft. of the remaining lot area, or the entire area in the case where there are no existing dwelling units.

Action taken on 11/8/93.

10:27 P.M. The meeting voted to adjourn to Wednesday, November 10, 1993 at 7:30 P.M. in the Auditorium of the Amherst Regional Junior High School. 191 Town Meeting members were checked in.

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The adjourned session of Wednesday, November 10, 1993 was called to order by the Moderator at 7:41 P.M. 130 Town Meeting members were checked in.

ARTICLE 16. Voted unanimously to refer back to the Planning Board.

(Zoning Bylaw Amendment - Town House/Apartments)
Action taken on 11/10/93.

ARTICLE 17. Voted YES 80, NO 55 to refer to the Planning Board.
(Zoning Bylaw Amendment - Converted Dwellings Standards and Conditions of
Section 3.324)
Action taken on 11/10/93.

ARTICLE 18. Voted YES 113, NO 24 that the Town amend the Official Zoning Map in the following manner:

a:Rezone Parcel 21, Map 15C from Neighborhood Residence (R-N) District to the Commercial (COM) District.

b:Rezone Parcel 51, Map 15C from the Neighborhood Residence (R-N) District to the Commercial (COM) District.

c:Rezone a portion of Parcel 43, Map 15A and Parcel 19, Map 15C from the Neighborhood Residence (R-N) District to the Commercial (COM) District.

Action taken 11/10/93.

ARTICLE 19. Voted unanimously that the Town amend the Keg Bylaw, Article 2 of the General Regulations, by changing section 2.6 by deleting the language in brackets and adding the shaded language as follows:

Keg. any metal, wooden, plastic, paper or other container designed to hold [five (5)] or more gallons of liquid and actually containing any amount of a malt beverage.

five and one-half Action taken on 11/10/93.

(5.5)

ARTICLE 20. Voted unanimously to advise all town officials and our representatives to the Eastern Hampshire Regional Refuse District to proceed toward implementation of Option H as defined by the Camp, Dresser, & McKee Report by (1) engaging as a District priority in a site selection process for an enclosed composting facility on a suitable site, appropriately sized for composting; based on criteria developed by a process open to all town committees and residents, and (2) choosing the best solution for the composting facility and moving ahead toward the creation of such a facility.

Action taken on 11/10/93.

ARTICLE 21. Voted unanimously to give help and support to the Solid Waste Committee and interested citizens working with that committee who will develop a report for the 1994 Amherst Annual Town Meeting that will: (a) Investigate and prepare recommendations for action on all potentially cost-effective means to extend the life expectancy of the existing Amherst landfill until at least the year 2013. (b) Determine the impact on the existing Amherst landfill of building a phased co-composting facility for use by Amherst or the District (c) Develop financing strategies that support the recommendations under (a).

Action taken on 11/10/93.

The business of the warrant having been completed, the meeting voted to dissolve at 10:32 P.M. 153 Town Meeting members were checked in.

Attest:

Cornelia D. Como
Town Clerk